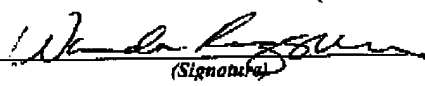
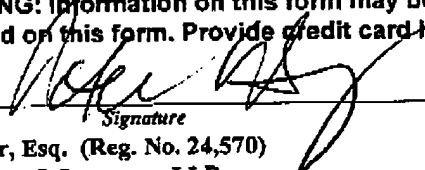


BEST AVAILABLE COPY

<b>CERTIFICATE OF TRANSMISSION BY FACSIMILE (37 CFR 1.8)</b>			Docket No. 840.066.202
Applicant(s): Dresch, et al.			
Application No. 09/808,468	Filing Date 3/14/01	Examiner Nyguen	Group Art Unit 2881
Invention: ION STORAGE TIME-OF-FLIGHT MASS SPECTROMETER			RECEIVED CENTRAL FAX CENTER FEB 17 2005
I hereby certify that this <u>Amendment Transmittal, Credit card chg form &amp; Response</u> (Identify type of correspondence)			
is being facsimile transmitted to the United States Patent and Trademark Office (Fax. No. <u>703-872-9306</u> )			
on <u>Feb. 17, 2005</u> (Date)			
Wanda Ruggiera (Typed or Printed Name of Person Signing Certificate)			
 (Signature)			
Note: Each paper must have its own certificate of mailing.			

<b>AMENDMENT TRANSMITTAL LETTER (Small Entity)</b>					Docket No. <b>840.066.202</b>	
Applicant(s): <b>Dresch, et al.</b>						
Application No. <b>09/808,468</b>	Filing Date <b>3/14/01</b>	Examiner <b>Nyguen</b>	Customer No. <b>04617</b>	Group Art Unit <b>2881</b>	Confirmation No. <b>4227</b>	
Invention: <b>ION STORAGE TIME-OF-FLIGHT MASS SPECTROMETER</b>						
<b><u>COMMISSIONER FOR PATENTS:</u></b>						
Transmitted herewith is an amendment in the above-identified application.						
<input checked="" type="checkbox"/> Applicant claims small entity status. See 37 CFR 1.27						
The fee has been calculated and is transmitted as shown below.						
<b>CLAIMS AS AMENDED</b>						
	CLAIMS REMAINING AFTER AMENDMENT	HIGHEST # PREV. PAID FOR	NUMBER EXTRA CLAIMS PRESENT	RATE	ADDITIONAL FEE	
TOTAL CLAIMS	3 -	20 =	0	x \$9.00	\$0.00	
INDEP. CLAIMS	1 -	3 =	0	x \$43.00	\$0.00	
Multiple Dependent Claims (check if applicable) <input type="checkbox"/>					\$0.00	
<b>TOTAL ADDITIONAL FEE FOR THIS AMENDMENT</b>					<b>\$0.00</b>	
<input checked="" type="checkbox"/> No additional fee is required for amendment. <input type="checkbox"/> Please charge Deposit Account No. _____ in the amount of _____ <input type="checkbox"/> A check in the amount of _____ to cover the filing fee is enclosed. <input checked="" type="checkbox"/> The Director is hereby authorized to charge payment of the following fees associated with this communication or credit any overpayment to Deposit Account No. <b>02-2105</b> <input checked="" type="checkbox"/> Any additional filing fees required under 37 C.F.R. 1.16. <input checked="" type="checkbox"/> Any patent application processing fees under 37 CFR 1.17. <input type="checkbox"/> Payment by credit card. Form PTO-2038 is attached. <b>WARNING: Information on this form may become public. Credit card information should not be included on this form. Provide credit card information and authorization on PTO-2038.</b>						
 Signature <b>Peter L. Berger, Esq. (Reg. No. 24,570)</b> <b>Levisohn, Berger &amp; Langsam, LLP</b> <b>805 Third Avenue, 19th Floor</b> <b>New York, New York 10022</b> <b>Phone (212) 486-7272</b> <b>Fax (212) 486-0323</b> <b>CUSTOMER NO. 04617</b>			Dated: <b>Feb. 17, 2005</b>  <div style="border: 1px solid black; padding: 5px;">             I certify that this correspondence is being deposited with the United States Postal Service with sufficient postage as first class mail in an envelope addressed to "Commissioner for Patents, P.O. Box 1450, Alexandria, VA 22313-1450" [37 CFR 1.8(a)] on               _____              (Date)               _____              Signature of Person Mailing Correspondence               _____              Typed or Printed Name of Person Mailing Correspondence           </div>			
CC:						

P11SMALLREV09

**COPY****AMENDMENT TRANSMITTAL LETTER (Small Entity)**Docket No.  
840.066.202

Applicant(s): Dresch, et al.

Application No.	Filing Date	Examiner	Customer No.	Group Art Unit	Confirmation No.
09/808,468	3/14/01	Nyguen	04617	2881	4227

Invention: **ION STORAGE TIME-OF-FLIGHT MASS SPECTROMETER****COMMISSIONER FOR PATENTS:**

Transmitted herewith is an amendment in the above-identified application.

☒ Applicant claims small entity status. See 37 CFR 1.27

The fee has been calculated and is transmitted as shown below.

**CLAIMS AS AMENDED**

	CLAIMS REMAINING AFTER AMENDMENT	HIGHEST # PREV. PAID FOR	NUMBER EXTRA CLAIMS PRESENT	RATE	ADDITIONAL FEE
TOTAL CLAIMS	3 -	20 =	0	x \$9.00	\$0.00
INDEP. CLAIMS	1 -	3 =	0	x \$43.00	\$0.00
Multiple Dependent Claims (check if applicable) <input type="checkbox"/>					\$0.00
<b>TOTAL ADDITIONAL FEE FOR THIS AMENDMENT</b>					<b>\$0.00</b>

- ☒ No additional fee is required for amendment.
- ☐ Please charge Deposit Account No. \_\_\_\_\_ in the amount of \_\_\_\_\_
- ☐ A check in the amount of \_\_\_\_\_ to cover the filing fee is enclosed.
- ☒ The Director is hereby authorized to charge payment of the following fees associated with this communication or credit any overpayment to Deposit Account No. 02-2105
- ☒ Any additional filing fees required under 37 C.F.R. 1.16.
- ☒ Any patent application processing fees under 37 CFR 1.17.
- ☐ Payment by credit card. Form PTO-2038 is attached.

**WARNING:** Information on this form may become public. Credit card information should not be included on this form. Provide credit card information and authorization on PTO-2038.

Dated: Feb. 17, 2005

*Signature*  
 Peter L. Berger, Esq. (Reg. No. 24,570)  
 Levisohn, Berger & Langsam, LLP  
 805 Third Avenue, 19th Floor  
 New York, New York 10022  
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Signature of Person Mailing Correspondence

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P11SMALL/REV05

## IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

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FEB 17 2005

In re: Application of: Dresch et. al  
Serial No.: 09/808,468  
Art Unit: 2881  
Examiner: K. T. Nyguen  
Filing Date: March 14, 2001  
For: Ion Storage Time-Of-Flight  
Mass Spectrometer  
Attorney Docket No. 840.066.202

February 17, 2005

**VIA FAX (703) 872-9306**  
Commissioner for Patents  
PO Box 1450  
Alexandria, VA 22313-1450

**RESPONSE**

Dear Sir:

The following is a response to the Office Action of January 12, 2005.

The Examiner has rejected pending Claims 11-13 under 35 U.S.C 102(e) as being anticipated by Whitehouse et al., U.S. Patent No. 5,962,851.

Regarding Claims 11, 12, and 13, the Examiner states:

"Whitehouse et al. (5,962,851) disclose, figs. 10 and 14, a mass spectrometer apparatus for analyzing chemical species. The apparatus includes a time-of-flight mass analyzer 127; an ion pulsing region 135; a detector 131; an ion source 112 for forming an ion beam 134; a two-dimensional multipole ion guide 118 having an entrance end and an exit end, and formed of a plurality of spaced apart rods parallel to each other and an axis of the ion beam 134; electrostatic lenses 123, 124 and 125 controllably applied by the time of pulsing period for pulsing ions transferred into the pulsing region 135 to the time-of-flight mass analyzer 127; and an exit lens 120 for gating the ions in the ion guide 118 to prevent excessive charge buildup in the ion guide 118 (see col. 15, line 32 to col. 19, line 9)."